REMARKS

The examiner is thanked for the performance of a thorough search. By this amendment, Claims 1, 2, 4, 18, 23 and 30 have been amended. Claims 19, 20, 21, 22, 27, 28, 29 and 34 have been cancelled. No claims have been added. Hence, Claims 1-18, 23-26 and 30-33 are pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application. Furthermore, amendments made to the claims as indicated herein have been made to exclusively improve readability and clarity of the claims and not for the purpose of overcoming alleged prior art.

Each issue raised in the Office Action mailed November, 30, 2004 is addressed hereinafter.

I.   ISSUES NOT RELATING TO PRIOR ART

A.   CLAIMS 1-11, 19-26 AND 30-33

Claims 1-11, 19-26 and 30 -33 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 23 and 30 as amended have been rewritten without the phrases "thereby..." and "so that..." Therefore, the rejections thereof are believed to be overcome. Claims 3, 23, and 30, as amended, comply with the requirements of the Office Action with respect to 35 U.S.C. § 112, second paragraph.

With respect to Claim 1, there is no reference to either phrase "thereby..." or "so that..." Therefore, no amendment to claim 1 is required. Claim 1 as originally recited is in compliance with the requirements of 35 U.S.C. §112 and reconsideration is respectfully requested.

II.   ISSUES RELATING TO PRIOR ART

A.   CLAIMS 1-34

Claims 1-34 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Hudson et al.* US Patent No. 6,055,637 (herein referred to as *Hudson*). The rejection is respectfully traversed.

Claims 1-34 are allowable over the cited reference because each of independent claims 1, 12, 18, 19, 23, 27, 30 and 34 contain at least one element or step that is not disclosed, taught, or suggested by the cited reference. Furthermore, the cited reference has not been properly combined with any other reference or information, and the rationale for obviousness is unsupported.

Specifically, the Office Action alleges that *Hudson* shows all of the limitations of the claims except for application of the invention to the area of network domains. Further, the Office Action indicates that "it would have been obvious to one ordinary skill in the network management art at the time of the invention that the claim invention differed from the teaching of *Hudson* et al only by a degree," and that "administrative domains are obvious variations of the domains in general depending on the role assigned." This is incorrect. One of skill would not have recognized how to apply *Hudson* to multiple separate administrative domains that have separate security policy servers and policies, because *Hudson* merely represents the old approach described in the background of the Application. Nothing in *Hudson* teaches or suggests the use of a token across multiple domains, and in fact *Hudson* teaches away from Applicant's claimed invention. Furthermore, the rationale for obviousness is insufficient because it does not present a clear and particular showing of the suggestion, teaching, or motivation to combine the teachings of *Hudson* with other knowledge to result in the claimed invention.

Because Hudson says nothing about use in multiple separate administrative domains, the rationale of the office action appears to be based on hindsight. As stated in the Federal Circuit decision *In re Dembiczak*, 50 USPQ.2d 1617 (Fed. Cir. 1999), (citing *Gore v. Garlock*, 220 USPQ 303, 313 (Fed. Cir. 1983)), "it is very easy to fall victim to the insidious effect of the hindsight syndrome where that which only the inventor taught is used against its teacher." *Id.* In fact, the only motivation provided in the Office Action is the hindsight observation that by combining features of the *Hudson* reference with knowledge possessed by one skilled in the art of network resource management, one may achieve the benefits achieved from the invention as described and claimed in the application. The Office Action's rationale is not based on Hudson itself, any other reference, or other facts. Such a hindsight observation is not consistent with the Federal Circuit's requirement for "particular factual findings."

Additionally, *Hudson* provides no teaching or suggestion to use a token across multiple separate administrative domains and merely reflects the old approach recited in the background. The use of the token described in *Hudson* only relates to resources in the **same domain**, not access across **multiple domains**. *Hudson* describes a token "which represents authorization for the user to access all the resources listed in the access list. Thus, the **token is presented to each resource** as the user attempts to log on or otherwise gain access." (col. 3 lines 3-7). This description teaches away from Applicant's invention because all the resources are in the same domain. The fact that *Hudson* relates to resources in the same domain means that access to a particular resource is determined by the resource not a particular domain. This is a key distinction from Applicant's approach, which is not involved in determining access at the resource level and instead determines access at the domain level. Determining access at the domain level is fundamentally different, because by definition at the time of the invention each

domain conventionally would enforce a separate security policy. Applicant's determined how to escape that approach.

Another example of how *Hudson* teaches away from the use of tokens across multiple domains is in col. 4 lines – 11-15, which states that a "resource access control system and method of the present invention communicate with the security package of a resource only when the user desires access thereto and dynamically generate the security rules, or temporary access permission for the user's account for each session." This is significantly different than Applicant's approach, which lets each domain determine access to those resources contained in that domain based on information in a common token.. For example, "the user can be identified in another administrative domain by the assigned role. The assigned role allows the user to access network resources in the other administrative domain according to a policy identified for that role." (page 4 first paragraph) Because *Hudson* does not teach the use of the token across multiple domains, and in fact teaches away from the claimed invention, Hudson cannot support a §103 rejection. Reconsideration is respectfully requested.

Additionally, Claim 1 as amended recites additional features not taught or suggested in *Hudson*. For example, Claim 1 recites "receiving a request from the user to retrieve network resources from the second administrative domain" *Hudson* does not teach or suggest the use of network resources which are located on **multiple and separate administrative domains**. *Hudson* only describes resources in the **same domain** with the **same administration scope**.

Additionally, Claim 1 recites the feature of "determining whether the user is authorized to access the network resources of the second administrative domain based on the first role in the token." This feature is fundamentally different then *Hudson* which determines **access at the resource level** for only those resources in **one domain**. Claim 1 determines **access at the domain level** for multiple resources located in **multiple administrative domains**.

Similarly, with respect to all dependent claims the Office Action does provide a "clear and particular" showing of the suggestion, teaching, or motivation to combine the teachings of *Hudson*. The Office Action provides only a non-specific, omnibus dismissal of the dependent claims. This does not conform to office policy (see MPEP § 2141) and does not establish a prima facie case of obviousness based on particular facts. It is respectfully submitted that such an observation is not consistent with the Federal Circuit's requirement for "particular factual findings" with respect to each and every claim.

In addition the remaining claims are dependent claims which depend on one of the Claims discussed above. Consequently, it is respectfully submitted that Claims 2-11, 13-18, 20-22, 24-26. 28-29 and 31-33 are patentable for at leas the reasons discussed above with respect to independent Claims 1, 12, 18, 19, 23, 27, 30 and 34.

III. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

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Docket No.: 50325-0548

A petition for extension of time, to the extent necessary to make this reply timely filed, is

hereby made. If applicable, a law firm check for the petition for extension of time fee is enclosed

herewith. If any applicable fee is missing or insufficient, throughout the pendency of this

application, the Commissioner is hereby authorized to any applicable fees and to credit any

overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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Dated: February 25, 2005

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